

STATE OF NEW YORK

Public Service Commission

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COMMISSION TO MEET ON THURSDAY, NOVEMBER 14, 2013

Albany, NY – 11/08/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, November 14, 2013, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

MEETING WILL BE BROADCAST ON THE INTERNET AT:

<http://www.dps.ny.gov/Webcasts.html>

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-
(See instructions on last page of Agenda)**

The session agenda is as follows:

To view documents related to PSC Cases Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

101 13-G-0484 In the Matter of Gas Emergency Preparedness.

GENERAL

201 13-M-0061 In the Matter of Customer Outage Credit Policies and Other Consumer Protection Policies Relating to Prolonged Electric or Natural Gas Service Outages.

- 202 13-M-0047 Proceeding on Motion of the Commission to Examine Utility Shared Critical Equipment and Supplies.

POWER

- 301 13-E-0140 Proceeding on Motion of the Commission to Consider Utility Emergency Performance Metrics.

COMMUNICATIONS

- 501 13-M-0025 In the Matter of Outages Caused by Hurricane Sandy. Telecommunications Network Restoration.

No items will be considered on the Regular Agenda for **WATER** and **CABLE**.

CONSENT AGENDA

This agenda consists of items that, by their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commissioners and do not require discussion at the Session.

Item PSC Case

GAS

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| 161 | 12-G-0499 | NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition to Amend its Certificate of Public Convenience and Necessity and to Exercise a Gas Franchise in the Town of Plattsburgh, Clinton County, New York. (Confirming Order) |
| 162 | 13-G-0383 | KEYSPAN GAS EAST CORPORATION D/B/A BROOKLYN UNION OF L.I. - Amendments to PSC No. 1-Gas, eff. 12/6/13, to revise its Balanced Billing Plan. |
| 163 | 09-G-0795 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to P.S.C. No. 9 - Gas, eff. 10/1/13, on a temp. basis, to effectuate continuation of certain provisions beyond the three-year term of the gas rate plan. |
| 164 | 13-G-0210 | Petition for an Order Approving Financing Pursuant to Public Service §69 and For a Declaratory Ruling Regarding the Transfer of Upstream Membership Interests and the Applicability of the Wallkill Presumption. |
| 165 | | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| | 12-G-0330 | CONDOS BROTHERS CONSTRUCTION CORP/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| | 13-G-0477 | SUPREME SPRINKLER SYSTEMS & SUPPLIES/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| | 13-G-0478 | NEWFANE GENERAL CONTRACTING, LLC/ROCHESTER GAS AND ELECTRIC CORPORATION |
| 166 | 13-G-0039 | FILLMORE GAS COMPANY, INC. - Amendments to PSC 1 Gas, eff. 6/1/13, postponed to 11/1/13, to increase its annual revenues by about \$300,000 or 27.9%. |

- 167 There is no item 167.
- 168 13-G-0299 ST. LAWRENCE GAS COMPANY, INC. - Petition for Authority to Issue Long Term Debt Securities.
- 169 13-G-0110 ESTATE OF PATRICIA KING/NIAGARA MOHAWK POWER CORPORATION - Rehearing Request of Designee Determination.
- 170 13-G-0156 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to add a provision to its gas tariff schedule, PSC No. 9 - Gas, that would establish a New York City Clean Heat Area Growth Program.

GENERAL

- 261 12-E-0201 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. (Confirming Order)
- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. (Confirming Order)
- 262 09-M-0147 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT COMMUNICATIONS INC. D/B/A T-MOBILE - Joint Petition for Approval Under Section 70 of the PSL Authorizing Installation of T-Mobile's Wireless Facilities on Con Edison Property (Tower E-10).
- 09-E-0657 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND T-MOBILE - Petition for Approval of Wireless Attachments to Existing Transmission Facilities (Tower K-222).
- 09-M-0235 CONSOLIDATED EDISON AND OMNIPOINT COMMUNICATIONS INC., D/B/A T-MOBILE - Petition for Authorization for T-Mobile's Existing Wireless Equipment attached to Transmission Facilities, Tower S-115.
- 09-M-0373 CONSOLIDATED EDISON COMPANY OF NEW YORK INC. AND OMNIPOINT COMMUNICATIONS INC. (D/B/A T-MOBILE) - Petition Seeking Authorization for T-Mobile's Existing Wireless Equipment attached to Con Edison Electric Transmission Facilities ("Tower K-153").

- 09-M-0377 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT COMMUNICATIONS INC. (D/B/A T-MOBILE) - Petition seeking Authorization for T-Mobile's Existing Wireless Equipment attached to Con Edison Electric Transmission Facilities (Tower K-47).
- 09-M-0391 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT COMMUNICATIONS INC. D/B/A T-MOBILE - Joint Petition for Authorization for T-Mobile's Existing Wireless Equipment to be Attached to Con Edison's Electric Transmission Facilities (Tower E-142) Pursuant to Con Edison's Electric Transmission Wireless Attachment Standard Procedure and Section 70 of the Public Service Law.
- 09-M-0420 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT COMUNICATIONS INC. - Joint Petition for authorization for T-Mobile's existing wireless equipment attached to Con Edison Electric Transmission Facilities (Tower K-103) pursuant to Con Edison's Electric Transmission Wireless Attachment Standard Procedure and Section 70 of the Public Service Law.
- 09-M-0423 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT D/B/A T-MOBILE - Joint Petition for authorization for T-Mobile's existing wireless equipment attached to Con Edison Electric Transmission Facilities (Tower K-32) pursuant to Con Edison's Electric Transmission Wireless Attachment Standard Procedure and Section 70 of the Public Service Law.
- 09-M-0425 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND OMNIPOINT COMMUNICATIONS, INC. D/B/A T-MOBILE - Joint Petition for authorization for T-Mobile's existing wireless equipment attached to Con Edison Electric Transmission Facilities (Tower D-306) pursuant to Con Edison's Electric Transmission Wireless Attachment Standard Procedure and Section 70 of the Public Service Law.
- 09-M-0426 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. OMNIPOINT COMMUNICATIONS INC., D/B/A T-MOBILE - Joint Petition for Authorization for T-Mobile's Existing Wireless Equipment Attached to Con Edison Electric Transmission Facilities (Tower D-254) Pursuant to Con Edison's Electric Transmission Wireless Attachment Standard Procedure and Section 70 of the Public Service Law.
- 263 There is no item 263.
- 264 10-E-0083 EDELWEISS REALTY, INC./MS. MARENA SABILLON/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.

265 12-M-0192 FORTIS INC. ET AL. AND CH ENERGY GROUP, INC. ET AL. - Joint Petition for Approval of the Acquisition of CH Energy Group, Inc. by Fortis Inc. and Related Transactions. Rehearing.

266 13-M-0463 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.

POWER

361 13-E-0012 DYNEGY DANSKAMMER, LLC - Petition for Waiver of the Generation Facility Retirement Notice Period and Requesting Other Related Relief. (Confirming Order)

362 13-E-0450 ASTORIA GENERATING COMPANY,L.P., US POWER GENERATING COMPANY, and TPF II USPG HOLDINGS, LLC - Petition for a Declaratory Ruling Regarding the Indirect Transfer of Control of Lightly Regulated Electric Generating Facilities or, in the Alternative, for an Order Approving the Transfer Under Section 70 of the Public Service Law.

363 13-E-0109 Proceeding on Motion of the Commission to Examine Combining Certain Low-Cost Power Supply Allocations with an Empire Zone or Excelsior Jobs Delivery Discount.

364 13-E-0189 SOUNDVIEW MANAGEMENT ASSOCIATES, LLC - Petition to Submeter Electricity at 50 and 80 Guion Place, New Rochelle, NY Located in the Territory of Consolidated Edison Company, Inc.

365 13-E-0353 NEW YORK STATE ELECTRIC & GAS CORPORATION and NUCOR STEEL AUBURN, INC. - Joint Petition Regarding Amendments to Electric Services Agreement.

366 12-M-0192 FORTIS INC. ET AL. and CH ENERGY GROUP, INC. ET AL. - Joint Petition for Approval of the Acquisition of CH Energy Group, Inc. by Fortis Inc. and Related Transactions. Central Hudson Gas and Electric Corporation Request to Modify Economic Development Programs.

- 367 13-T-0292 WEST POINT PARTNERS LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Authority to Construct and Operate a 345 kV Transmission Line known as the West Point Project.
- 368 11-M-0710 In the Matter of Reviewing and Amending the Electric Submetering Regulations, 16 NYCRR Part 96. Joint Petition for a Temporary Waiver of 16 NYCRR Section 96.7(a)(1) and 96.7(b).
- 369 13-E-0401 INTECH21, INC. - Petition for Approval to use the Intech 21's PM-2104 Electric Submeter in Residential Dwellings.
- 370 There is no item 370.
- 371 There is no item 371.
- 372 13-E-0199 In the Matter of Electric Vehicle Policies.
- 373 There is no item 373.
- 374 13-E-0386 LEVITON MANUFACTURING COMPANY - Petition for Approval of Leviton Mini Meter.
- 375 11-T-0534 ROCHESTER GAS AND ELECTRIC CORPORATION - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the "Rochester Area Reliability Project," Approximately 23.6 Miles of 115 Kilovolt Transmission Lines and 1.9 Miles of 345 Kilovolt Line in the City of Rochester and the Towns of Chili, Gates and Henrietta in Monroe County. Rehearing Petition.
- 376 13-E-0062 LIBERTY POWER HOLDINGS LLC. - Proceeding on Motion of the Commission to Investigate the Marketing Practices.

WATER

- 461 13-W-0194 NEW YORK AMERICAN WATER COMPANY, INC. and UNITED STATES NAVY - Petition for Emergency Approval of Easement by and between New York American Water Company, Inc. and United States

Navy under PSL 89-h of the Public Service Law.

COMMUNICATIONS

- 561 13-C-0064 VERIZON NEW YORK INC. - Petition for a Modification to the Procedure by Which the Unbundled CLEC Reciprocal Compensation Charge Is Calculated.
- 562 07-C-0349 DUNKIRK AND FREDONIA TELEPHONE COMPANY - Amendments to PSC No. 5-Telephone eff. 11/1/13, to increase the basic residential local service rates.
STATE TELEPHONE COMPANY - Amendments to PSC No. 11-Telephone. eff. 11/1/13, to increase the basic residential local service rates.
MARGARETVILLE TELEPHONE COMPANY - Amendments to PSC No. 15 - Telephone eff. 12/1/3, to increase the basic residential local service rates.
- 563 13-C-0458 VERIZON NEW YORK INC. - Petition for Approval to Sell a Portion of an Office Building Located at 140 West Street, New York, NY.
- 564 13-C-0161 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. Verizon New York Inc. Third Quarter 2013 Service Quality Report.
- 565 13-C-0474 MR. SARY GUINIER/VERIZON NEW YORK, INC. - Appeal of Informal Hearing Decision.

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 13-V-0409 CABLEVISION OF ROCKLAND/RAMAPO, INC./TOWN OF TUXEDO IN ORANGE COUNTY.

Instructions to View Videocast at PSC's NYC Offices

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established

by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

Instructions to View Video Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

The viewing quality of a live webcast can be adversely affected by various factors including, but not limited to, Internet bandwidth limitations, Internet network congestion, and the configurations and settings on a computer used to view the webcast. If you experience problems viewing a live webcast, you may view it at a later time by accessing an archived copy of the webcast. Archives are available on the Department Web site within two business days after the meeting.

Explanation of Agenda

The agenda is divided into two sections. The **Consent Agenda** consists of items that because of their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commission and do not require discussion. Any item on the Consent Agenda can be transferred to the Regular Agenda if discussion is required.

The **Regular Agenda** consists of items that, by their nature, appear to be best resolved through discussion of matters covered by written reviews and analyses, also available to the Commissioners in advance of the meeting. All Commission meetings are open to the public. However, since adequate forums are available for public participation in cases before the Commission there will be no opportunity for the public to address the Commission. The agenda contained herein is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Proposed draft orders for **Regular Agenda items** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed order is not the final Commission action, rather, the final determination is the issued

order, posted by the Secretary, and available at www.dps.ny.gov, click on “Search” then search the appropriate PSC case number.

Other Matters

Persons with disabilities who require a sign language interpreter or other special accommodations should call the Department of Public Service's Human Resources Management office at 518- 474-2520. TTD users may call this number through the New York Relay Service at 1-800-662-1220 or have a representative call directly to the office.

All public documents that have been filed or issued before today's date may be obtained by accessing the Commission's Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518) 474- 2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, December 19, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The videocasting will be for viewing and listening purposes only.

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